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Though there is no attempt at apology or propaganda, the history has not entirely contented itself with the mere jotting down of events; there is also some attempt at interpretation. Comment is always restrained and conservative, but the authors are clearly in sympathy with the cause of the Allies in the Great War and with the general principles of the League of Nations. The explanation of why the League of Nations Covenant was incorporated in the Treaty of Versailles is significant:

To have produced unanimity amongst the twenty-six States who signed the German Treaty would almost certainly have been impossible, unless the signature had been made the only way to enjoy the benefits of the peace. So many vested interests were challenged by the League, and so many new forces had been liberated in Europe, which were antagonistic to it, that unless the League had been made a part of the peace it might have been postponed for a generation. Even more important was the fact that the Treaties themselves were made to center round the idea of the League to so great an extent that without it they became plainly unworkable. It may be asserted with truth that this result was not in the mind of any responsible statesmen when the Conference opened. It was, as is explained elsewhere, the natural result of the discussions at Paris, though it owed much also to the strenuous advocacy of President Wilson. But the recognition thus secured that the problems raised at Paris can only be solved by a form of permanent international organization is perhaps the greatest result of the Conference. (Vol. I, pp. 276-277.)

PRESTON WILLIAM SLOSSON,
Literary Editor, "The Independent."

International Law and the World War. By JAMES WILFORD GARNER. In two volumes. Longmans, Green & Company, London, 1920, xviii, 524; xii, 534 pp. Price \$24.00.

This monumental treatise was undertaken by the author at the request of the late Dr. L. Oppenheim, Whewell Professor of International Law at Cambridge University. In the execution of this request, Professor Garner has not only erected a worthy monument to the memory of Professor Oppenheim, but has added materially to his own high reputation as a political scientist and made all teachers and students of international law his debtors.

It was Dr. Oppenheim's desire that Professor Garner should "review the conduct of the belligerents in respect to their interpretation and application of the rules of international law, compare it with the opinions of the authorities and the practice in

former wars and wherever infractions appeared, to endeavor to determine the responsibility and to place it where it properly belonged." In our opinion, the author has performed this task as thoroughly and comprehensively as Dr. Oppenheim himself might have done it, had he lived to undertake and execute such a work. With reservations as to style in favor of Professor Garner, the reviewer is incapable of higher praise than this.

Though the material digested was enormous, the plan of the work is comparatively simple. It begins with "The Status of International Law at the Outbreak of the War" (in which the binding character of the Hague Conventions and the Declaration of London are carefully considered), and then in successive chapters it deals with such topics as Treatment of Enemy Aliens (in respect to personal liberty, property and trading rights, right of access to the courts, etc); Treatment of Merchant Vessels in Belligerent Ports at the Outbreak of War; Effect of War on Contracts and Partnerships; Forbidden Weapons and Instrumentalities; Devastation of Enemy Territory; Mines and War Zones; Submarine Warfare; The Status of Defensively Armed Vessels; Land and Naval Bombardments; Aerial Warfare; Treatment of Prisoners; The Invasion and Military Government of Belgium; Contributions, Requisitions, and Forced Labor; Deportation of the Civilian Population from Occupied Territory; Destruction of Neutral Merchant Vessels; Contraband and the Right of Search; Blockade, etc. We might well wish the last two chapters (XXXVII and XXXVIII) were longer, as they give the author's well-considered views on the "Effect of War on International Law" and the "Outlook for the Future."

Taking as an instance of his method of dealing with these subjects Chapter III on the treatment of enemy aliens in respect to their personal liberty, the author first describes the former practice in this regard together with the opinions of the authorities. Then follows a statement showing the difficult nature of the enemy alien problem of the World War, and an answer to the question "Who are Enemy Aliens?" Finally, we have a detailed study based on documentary evidence of British, French, German and Austro-Hungarian, Italian, Portuguese, Japanese, and American practice and policy.

Of course one important test of the value of such a work as this is its spirit of impartiality. From the standpoint of judicial attitude and temperateness of tone or moderation of statement, Professor Garner might perhaps be accused of leaning too far

backwards by some critics of German atrocities and other manifold violations of international law. From the fact that the verdict is almost uniformly unfavorable to Germany, other critics might possibly draw the inference that he has shown a nationalistic bias.

The author admits that, owing to blockades and censorships, "the German defence to many charges made against them for violating the law was not always known to me, or was known only through newspaper dispatches from neutral countries." "Nevertheless," he adds, "the views of German jurists on all questions of international law, the rules of which the Germans were charged with disregarding, were so distorted and colored by partisanship, that it may be doubted whether the inaccessibility was a loss of any real consequence, and I may add that Professor Oppenheim shared with me this view as to the untrustworthiness of German authority."

Within the space allotted to the reviewer, it is impossible to criticise in detail any of the sins of commission or of omission which he may think the author has committed. Of the former (sins of commission) there seem to be remarkably few, considering the magnitude of the task and the relative rapidity with which it must have been performed.

The general student of international relations in the wider sense may feel somewhat disappointed in not finding in this work any discussion of the causes of the war, of the considerations of political and economic policy that may have determined the action of particular governments, or of analogies garnered from political or diplomatic history. But it should be remembered such problems and considerations are beyond the scope of international law or of the international jurist as such.

From the viewpoint of the international jurist, the greatest omission may well appear to be a fuller discussion of the imperfections of the rules of land warfare as revealed by military practice, suggested solutions of the many unsettled questions of maritime and aerial law, and the possibilities of future developments. Professor Garner has, however, supplied us with what is most needed at this time—a thorough, accurate, well-digested, and comprehensive knowledge of well-documented materials illustrative of practice during the World War. He has also pronounced many valuable expert judgments.

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